

ORDINANCE NO. 2802 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING GLENDALE CITY CODE CHAPTER 25, ARTICLE II, SEC. 25-24 AND ARTICLE V, SEC. 25-64 RELATING TO ANIMAL NOISES, ODORS AND EXCESSIVE NOISES; AND SETTING FORTH AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code Chapter 25, Article II, Sec. 25-24 is hereby amended to read as follows:

**Sec. 25-24. Miscellaneous.**

...

~~(f) No person shall keep a dog within the city limits which is in the habit of barking or howling or disturbing the peace and quiet of any neighborhood within the city. A violation of this subsection shall only be established on the following except that the city prosecutor, in his/her discretion, may waive or require additional evidence as needed on a case by case basis.~~

- ~~(1) At least four (4) persons from separate households directly affected by the nuisance correctly complete and return to the city all petitions, logs and other required documentation;~~
- ~~(2) The city prosecutor approves all petitions, logs and other required documentation and following review of all material evidence, it is determined that reasonable grounds exist to successfully prosecute;~~
- ~~(3) The persons whose names are listed on all petitions, logs and other required documentation provide sworn testimony.~~

(f) No person shall keep or harbor any animal that by frequent or habitual barking, howling, yelping, crowing or the making of other noises disturbs the peace and quiet of two or more independent witnesses who are not related. For purposes of this section, "animal" means any bird or non-human mammal.

...

...

~~(i) All property shall be kept free of noxious or objectionable stench or odors. A violation of this subsection shall only be established on the following except that the city prosecutor, in his/her discretion, may waive or require additional evidence as needed on a case by case basis.~~

- ~~(1) At least four (4) persons from separate household directly affected by the nuisance correctly complete and return to the city all petitions, logs and other required documentation;~~
- ~~(2) The city prosecutor approves all petitions, logs and other required documentation and following review of all material evidence, it is its determined that reasonable grounds exist to successfully prosecute;~~
- ~~(3) The persons whose names are listed on the required documentation provide sworn testimony.~~

(i) All property shall be kept free of noxious or objectionable stench or odors that disturb the sense of smell of two or more independent witnesses who are not related.

SECTION 2. That Glendale City Code Chapter 25, Article V, Sec. 25-64 is hereby amended to read as follows:

**Sec. 25-64. Excessive, unnecessary or offensive noise prohibited.**

~~(a) It shall be unlawful for any person to make or continue, or cause or permit to be made or continued, any excessive, unnecessary or offensive noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance to any two or more reasonable persons of normal sensitivity residing in the area.~~

(a) It shall be unlawful for any person to make or continue, or cause or permit to be made or continued, any excessive, unnecessary or offensive noise that disturbs the peace and quiet or that causes discomfort or annoyance to two or more independent witnesses who are not related.


...

SECTION 3. That the provisions of this ordinance shall become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

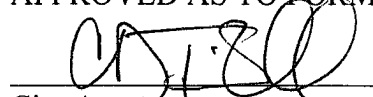
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 22nd day of May, 2012.

  
MAYOR

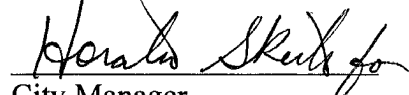
ATTEST:

  
City Clerk (SEAL)

APPROVED AS TO FORM:

  
City Attorney

REVIEWED BY:

  
City Manager